

WK:EL
F. #2023R00624

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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23-MJ-780

UNITED STATES OF AMERICA

- against -

REGGIE R. RIVAS,

Defendant.

AFFIDAVIT AND
COMPLAINT IN SUPPORT
OF AN APPLICATION FOR
AN ARREST WARRANT

(18 U.S.C. § 1951)

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EASTERN DISTRICT OF NEW YORK, SS:

Tyler S. Miceli, being duly sworn, deposes and states that he is a Special Agent with the Bureau of Alcohol, Tobacco and Firearms , duly appointed according to law and acting as such.

On or about July 6, 2023, within the Eastern District of New York and elsewhere, the defendant REGGIE R. RIVAS did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by robbery, to wit: the robbery of United States currency from a gas station convenience store located on Beach Channel Drive in Queens, New York (the “Convenience Store”).

(Title 18, United States Code, Section 1951)

The source of your deponent’s information and the grounds for his belief are as follows:¹

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. I am a Special Agent with the Bureau of Alcohol, Tobacco and Firearms (“ATF”). My experience includes investigating and tracking individuals involved in a variety of violent crimes, including commercial robberies. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant’s criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. On or about July 6, 2023, at approximately 1:50 a.m., a lone robber entered and robbed the Convenience Store. The Convenience Store robbery was captured by Convenience Store security camera surveillance. The surveillance footage and witness reports reveal that the robber, later identified as REGGIE R. RIVAS, accessed the Convenience Store through a side door not accessible to the public and, upon encountering an employee, brandished what appeared to be a white and black handgun at the employee. (See Fig. 1, below). The robber forced the employee to the cash register, where the robber stole approximately \$3,700. The robber then escaped out of the same side door he entered through and fled on foot. The robber is revealed in the security camera footage to be wearing a white mask with a black hooded sweatshirt bearing an image of a basketball and the words “New York.” Id.



(Fig. 1: July 6, 2023 surveillance image of robber inside of the Convenience store brandishing what appears to be a white and black handgun (circled)).

3. After the suspect fled from the Convenience Store, a cellular phone was recovered outside of the side door from which the robber entered and exited the Convenience Store. (See Fig. 2, below). Subscriber information collected for the cellular phone confirmed that the device is registered to RIVAS.



(Fig. 2: July 6, 2023 photograph of cellular phone left by the robber outside of the Convenience Store).

4. On or about July 18, 2023, at approximately 8:10 p.m., a lone robber robbed a BP gas station located on Beach Channel Drive in Queens, New York (the “Gas Station”). Witnesses reported that the robber entered the Gas Station and brandished what appeared to be a handgun at the Gas Station attendant. The robber then stole approximately \$250 from the cash register and fled from the Gas Station. Surveillance footage obtained from outside of the Gas Station revealed that the robber escaped on a bicycle with an orange inner back rim. (See Fig. 3, below).



(Fig. 3: July 18, 2023 surveillance image of robber fleeing the Gas Station on a bicycle with an orange inner back rim).

5. On or about July 26, 2023, at approximately 9:45 p.m., a lone robber held up a bodega located on Beach Channel Drive in Queens, New York (the “Bodega”). The Bodega robbery was captured by Bodega security camera surveillance. The surveillance footage and witness reports reveal that the robber, later identified as RIVAS, brandished what appeared to be a white and black handgun at the cashier and demanded “give me the money.” (See Fig. 4, below). The robber then took approximately \$500 from the cash register and fled

from the Bodega on a bicycle. The robber is revealed in the security camera footage to be wearing a black sweatshirt, grey pants, and a light- and dark-blue bucket hat. Id.



(Fig. 4: July 26, 2023 surveillance images of robber during the Bodega robbery (circled in left image is what appears to be a white and black handgun)).

6. On or about August 13, 2023, at approximately 2:48 a.m., a lone robber held up a fried chicken restaurant located on Beach 20th Street in Queens, New York (the “Chicken Restaurant”). The Chicken Restaurant robbery was captured by Chicken Restaurant security camera surveillance. The surveillance footage and witness reports reveal that the robber, later identified as RIVAS, entered the Chicken Restaurant and walked into the kitchen brandishing what appeared to be a white and black handgun. (See Fig. 5, below). The robber then demanded money while pulling the slide of the handgun back. The robber then stole approximately \$750 from the cash register, exited the location and fled on a bicycle. The robber is revealed in the security camera footage to be wearing a black hooded sweatshirt, black pants, and black sneakers with a purple back and the number 23 in white lettering. (See Fig. 5 and 6, below).



(Fig. 5 (left): August 13, 2023 surveillance image of robber during the Chicken Restaurant robbery brandishing what appears to be a white and black handgun (circled); Fig. 6 (right): August 13, 2023 surveillance image of sneakers worn by the robber during the Chicken Restaurant robbery).

7. On or about August 18, 2023, RIVAS was arrested by the Nassau County Police Department (“NCPD”) in connection with yet another robbery. Incident to his arrest, NCPD officers seized a white and black imitation firearm, which resembles the handgun used in the above-described robberies, from RIVAS’ person. (See Fig. 7, below). At the time of his arrest, RIVAS was also found to be wearing black sneakers with a purple back and the number 23 in white lettering, which are identical to the sneakers worn by the robber in the August 13, 2023 Chicken Restaurant robbery. (See Fig. 8, below; compare Fig. 8, below, with Fig. 6). NCPD officers also seized a bicycle with an orange inner back rim from RIVAS at the time of his arrest, which appears identical to the bicycle ridden by the robber to escape from the July 18, 2023 Gas Station Robbery. (See Fig. 9, below; compare Fig. 9, below, with Fig. 3).



(Fig. 7 (top): Photograph of white and black imitation handgun seized incident to RIVAS' August 18, 2023 arrest; Fig. 8 (middle): photograph of black sneakers with purple back and the number 23 in white lettering, worn by RIVAS at the time of his arrest; Fig. 9 (bottom): photograph of bicycle with orange back rim seized incident to RIVAS' August 18, 2023 arrest).

8. On or about August 18, 2023, investigating officers interviewed RIVAS concerning the above-described robberies. RIVAS admitted to the officers that he committed three robberies and used a bicycle to get to and from the robberies. RIVAS further informed officers that the white and black handgun he brandished during the robberies was an imitation firearm that he purchased online.

9. When shown a surveillance image from the July 6, 2023 Convenience Store robbery (see Fig. 1), RIVAS identified himself as the robber in the image.

10. When shown a surveillance image from the July 18, 2023 Gas Station robbery (see Fig. 3), RIVAS confirmed that the bicycle in the image is his.

11. When shown surveillance images from the July 26, 2023 Bodega robbery (see Fig. 4), RIVAS identified himself as the robber in the images.

12. When shown a surveillance image from the August 13, 2023 Chicken Restaurant robbery (see Fig. 5), RIVAS identified himself as the robber in the image and recalled that the image was from the Chicken Restaurant robbery.

WHEREFORE, your deponent respectfully requests that the defendant REGGIE R. RIVAS, be dealt with according to law.

TYLER MICELI Digitally signed by TYLER MICELI
Date: 2023.08.31 12:16:22 -04'00'

Tyler S. Miceli
Special Agent, Bureau of Alcohol, Tobacco and Firearms

Sworn to before me this
____ day of August, 2023

Hon. Ramon E. Reyes, Jr. Digitally signed by Hon. Ramon E. Reyes, Jr.
Date: 2023.08.31 13:29:05 -04'00'

THE HONORABLE RAMON E. REYES, JR.
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK